

City of Newport Beach - Building Department

ADMINISTRATIVE POLICY

Effective Date	Subject	Policy No.
November 14, 2005	Conditional Occupancy Agreement (Temporary Certificate of Occupancy)	UAC 309.4

While this approval method to occupy a building is generally discouraged, in cases where the Chief Building Inspector or the Building Director deem it appropriate, the following procedure shall apply:

The name of the current document is misleading. With our current procedure for issuing "Certificates of Occupancy," an individual tenant will seldom receive a Certificate of Occupancy when the project is finalized. Using the name, "Temporary Certificate of Occupancy" implies that once all conditions are satisfied, a Certificate of Occupancy will be issued when actually only a final inspection will be made and signed. Therefore, we will change the name of the document to "**Conditional Occupancy Agreement**" (See attached form).

This "Conditional Occupancy Agreement" is not to be offered by inspectors in the field as a way to occupy a building without final inspection unless there are unusual problems with the project that do not constitute a health or life safety hazard for the building's occupants. When this case arises in the judgment of the field inspector, the customer should be referred to the Chief Building Inspector to evaluate the customer's request. Prior to referring the customer to the Chief Inspector, a complete walk-through should be conducted and all outstanding issues listed on a correction notice.

If the Chief Building Inspector agrees that a "Conditional Occupancy Agreement" is warranted, he will have the customer fill out the "Conditional Occupancy Agreement" and have him pay the fee. At that time, the Chief Building Inspector will define what the conditions of the "Conditional Occupancy Agreement" will be. As soon as work has progressed to the point where only the agreed-upon conditions are left, the Building Department will process the application and issue the "Conditional Occupancy Agreement," allowing the customer to move in for a specified time period. The Chief Building Inspector will sign this form. The processing of the application will include routing the application to the plan check engineer for a description of the project if a "Certificate of Occupancy" is to be issued after the conditions are met and the project receives final inspection. In all other cases, this step will be omitted.



Steven Hook, Chief Building Inspector



CITY OF NEWPORT BEACH

BUILDING DEPARTMENT

3300 NEWPORT BLVD.
P.O.BOX 1768, NEWPORT BEACH, CA 92658-8915
(949) 644-3275

APPLICATION FOR CONDITIONAL OCCUPANCY AGREEMENT

1. Obtain approval from the Chief Building Inspector. He will then provide a completed "fee receipt."
2. Take "fee receipt" to City Cashier and pay \$178.00 processing fee.
3. Obtain Electrical Inspector approval or final inspection. _____
Insp. Initials)
4. Obtain Fire Department's approval or final inspection. _____
Insp. Initials)
5. Obtain Structural Inspector approval. _____
Insp. Initials)

TO BE COMPLETED BY APPLICANT

To: Jay Elbettar, Building Department Director
City of Newport Beach
3300 Newport Blvd.
Newport Beach, CA 92658-8915

Job Address: _____

Building Permit Number: _____

State reason for requesting the **Conditional Occupancy Agreement**:

How much time will you need to complete the project: _____

Who will take responsibility to handle this matter to conclusion and will call for the final inspection?

Name of Responsible Party	Job Title	Telephone Number
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Signature of person who completed this form

Date